

## ERIE PROSECUTOR SEEKS EXTRADITION OF HICKEY

Official Says He Is Certain Prisoner Is Man Wanted for "Joey" Joseph's Murder.

### GETS MUCH NEW EVIDENCE

Case Will Be Built on Similarities of Handwriting and on a Series of Identifications.

(By Telegraph to The Tribune.)  
Toms River, N. J., Nov. 20.—Wesley C. Dudley, District Attorney of Erie County, after a talk with J. Frank Hickey in the county jail here to-day, wired his office in Albany, so that Hickey could be extradited without delay. Mr. Dudley said he was sure Hickey was the man he wanted.

Before he left Buffalo last night the District Attorney had secured an indictment charging Hickey with murder in the first degree, in regard to the death of Joseph Joseph, the seven-year-old boy whose body was found in a cesspool in Lackawanna last Saturday.

Besides his talk here with Hickey and a conference with the accused man's lawyer, Mr. Dudley gained a still firmer impression of Hickey's guilt as a result of a trip to the Keswick colony for inebriates, near Whitings, where he examined a number of men to whom Hickey had talked freely before his arrest.

The information he obtained there tended to strengthen the strange tale of a dual personality which first became apparent through the letters and messages of confession which came to the Buffalo and Lackawanna police from the murderer.

Mr. Dudley has two lines of attack for the case against Hickey; the first is the remarkable similarity between the handwriting of the confession letters and that of the letters on other matters which Hickey sent to friends in Buffalo, and the second a series of identifications by men who saw a man answering Hickey's description when he was with the Josephs boy just before the disappearance.

Indictment on One Point.  
So convincing was the handwriting similarity that that point alone was sufficient to gain an indictment, and with the admissions of Hickey, which he obtained to-day, the District Attorney expressed himself as confident of a conviction.

"In view of the fact that an insanity

defence would be probable because of the peculiar self-accusations and confessions by letter would you accept a plea of murder in a lesser degree?" Mr. Dudley was asked to-day.

"As things stand now, after my work here, I would not," he replied, "because I believe the man is guilty and can be convicted on the charge in the indictment."

"Joey" Josephs, who was the son of a well-to-do storekeeper of Lackawanna, disappeared from his home on October 12, 1911. Hickey was at that time on the payroll of the Rogers-Brown Iron and Steel Company, in Lackawanna, and, according to Mr. Dudley, he was not at work on that day. A man who answered Hickey's description was seen in the neighborhood of No. 121 Ridge Road, the address of the place where the little boy's body was discovered over a year later, for several hours on that day, and a railroad switchman who was working near that point will be one of Mr. Dudley's identification witnesses.

With the publicity that attended the recovery of the body last Saturday, Mr. Dudley said, two klemen of Lackawanna came forward with a story of a scuffle they had had with a man answering Hickey's description on an evening a few days before the disappearance of the Josephs boy. The man, they said, was attempting to drag a fifteen-year-old boy up an alley in the rear of No. 209 Seneca street, where he lived, and put up some little fight when they interfered.

Will Allow Extradition.  
Hickey's counsel, who has been instrumental in keeping interviewers from talking to the prisoner, and who at first announced that he would fight extradition, said after a talk with Mr. Dudley to-day that he would not oppose Hickey's extradition when the necessary legal formalities had been complied with.

Sheriff Frank Tilton, who is holding Hickey on the thirty days' detention allowed under the New Jersey law pending extradition, has backed up Hickey's lawyer in his effort to keep the prisoner secluded, and since his arrest no one but the Erie County District Attorney, Chief Gilson and Jeffrey, his lawyer, have talked to the prisoner. Hickey is the only occupant of the jail.

"I expect that the extradition formalities will be complied with quickly, and that we will be ready to take the prisoner back to Buffalo on Friday," Mr. Dudley said to-day, after a talk with Hickey's lawyer.

According to the Erie County Prosecutor Hickey's correspondence with John Hoskins, one of his former employers in Buffalo, was in reference to an invention designed by Hickey to cover a railroad frog so as to eliminate the danger of catching the feet of switchmen. Hickey believed that a fortune would come his way if he could perfect and market his invention.

Buffalo, Nov. 20.—Following the indictment charging J. Frank Hickey with murder in the first degree in the case of Joseph Joseph, on or about October 12, 1911, a representative of District Attorney Dudley's office started for Albany to-day under instructions telegraphed by Mr. Dudley from Toms River, N. J., to obtain requisition papers for Hickey's extradition.

## "NO SHORTAGE IN COAL"

Merchants' Assn. Committee Reports Its Investigations.

There will be no shortage in the coal supply this winter, according to the report of the committee appointed to study the situation by the Merchants' Association. The committee's investigation was the result of the large number of letters received recently by the association, in which the writers said they were unable to obtain hard coal in the quantities desired and that excessive prices were being demanded by some retailers, who gave as their excuse that they were apprehensive as to the sufficiency of the coal supply during the winter months.

The report presented figures giving the shipments during periods of storage and consumption during the years 1909 to 1912, inclusive, which indicated that the fears of the coal consumers, as far as supply is concerned, were unfounded.

### 58 YEARS IN U. S. SERVICE

Commissioner Shields Celebrates His 73d Birthday.

Congratulations and flowers were showered yesterday upon John A. Shields, United States Commissioner, who celebrated his seventy-third birthday by attending to his duties in the Federal Building as he had done during the fifty-eight years of his service.

There are few men who have been in public service as long as Commissioner Shields. He began his work under the administration of President Pierce, and many famous criminal cases were brought before him as commissioner.

At the suggestion of some of the leading lawyers who practise in the federal courts, Mr. Shields recently published a book on "Federal Courts and Practice," and, although the work is hardly a month old, it is quoted from daily by lawyers appearing in federal cases.

### GOVERNOR AT LAND SHOW

Much Interest Aroused Over Prizes Offered in Prize Crop Contests.

"Back to the farm for wealth, health and happiness," is the message brought to the people of this city by the land show now running in the 71st Regiment Armory. Not alone do the exhibits create an inspiration, but they point the way and furnish striking demonstrations of the whyfores and wherefores of agriculture. Among the visitors at the show yesterday was Governor Dix, with his aid, Lieutenant Commander E. C. DeKay.

There are twenty-five states of the Union, Canada, Mexico and Porto Rico represented among the many exhibits of prize farm, garden and orchard crops. The New York State exhibit has an additional feature in a large display of livestock, including four breeds of dairy cattle, swine, sheep and poultry. New Jersey, a three-year-old Holstein, which holds all world's records for milk and butter production, with 22,000 pounds of milk and 1,000 pounds of butter in one year. Berkshire and Chester White sows with large litters of little pigs are there, and some of the Shropshire sheep as well. Over four dozen breeds are represented among the poultry exhibits.

Agriculturists and the everyday variety of crops, who are also attending the show in large numbers, are much interested in the prize crop contests, for which prizes worth over \$5,000 are offered.

## GRAND TRUNK INQUIRY BY U. S. IS DELAYED

Department of Justice Decides to Make an Investigation for Itself First.

### LEGAL ACTION MAY FOLLOW

New Haven Road's President Admits an Agreement Has Been Submitted to the Grand Trunk Line.

Washington, Nov. 19.—The Department of Justice has postponed the proposed grand jury investigation in New York of the alleged unlawful traffic agreement between the Grand Trunk Railway of Canada and the New York, New Haven & Hartford Railroad, pending a further inquiry by the department.

Jesse C. Atkins, Assistant Attorney General, said to-night that the presidents of both railroads had offered to give full access to the records of their companies, and that Attorney General Wickham decided that a full and careful examination of facts offered by the railroads as well as by the protesting Rhode Island, Massachusetts and New Hampshire officials should be made before putting the case into the hands of a grand jury.

Mr. Atkins emphasized the department's determination to conduct a rigid inquiry and to have a grand jury probe later if facts to warrant it were disclosed. He said the Attorney General had written to the railway presidents for an explanation of the rumored agreement before any protest was filed.

New Hampshire's state officials to-day joined with Massachusetts and Rhode Island in protesting to the Department of Justice against the alleged traffic agreement between the roads, petitioning the federal government to take up with the Sherman anti-trust law with the purpose of preserving railway competition in New England.

John E. Benton and Edward C. Niles, of the New Hampshire Railroad Commission, held a long conference with Mr. Atkins, and E. J. McLeod and George W. Bishop, of the Massachusetts Railroad Commission, took part in the discussion.

Montreal, Nov. 20.—E. J. Chamberlin, president of the Grand Trunk Railway, said to-day that he had received a copy of the proposed traffic agreement with the New York, New Haven & Hartford Railroad, and it was under consideration. The agreement had been sent to London, though it had not yet been received by the Grand Trunk board there. He would make no further statement.

President Mellen of the New Haven Road confirmed yesterday the report that negotiations were practically completed for a traffic agreement between the Grand Trunk and New Haven systems. Inquiry at the headquarters of the line brought forth the following statement:

Mr. Mellen has signed a proposition to Mr. Chamberlin for a twenty-five-year agreement, but it has not yet been answered by Mr. Chamberlin, and Mr. Mellen is without knowledge as to what action Mr. Chamberlin will take.

It is understood that the agreement prevents the Grand Trunk from completing its proposed extensions into Boston and Providence. The only thing holding up the acceptance of the agreement by President Chamberlin of the Grand Trunk is said to be a few minor arrangements regarding terminal facilities and the fact that he must first obtain the approval of his board of directors in London.

Following the service of subpoenas on most of the officers and directors of the New Haven company to appear before the Federal Grand Jury here to-day, those subpoenaed were notified yesterday that they need not appear, as the inquiry had been postponed indefinitely.

Among those subpoenaed were J. Pierpont Morgan, William Rockefeller, Charles M. Pratt, George Macaulay Miller and George F. Baker. Timothy E. Byrnes, vice-president of the road, and Alexander H. Cochrane, a director, were served with subpoenas in Boston.

Henry A. Wise, United States Attorney, declined to discuss the affair, declaring it was his principle not to speak about any investigation contemplated by the Department of Justice.

### SULZER GOES HUNTING

Will Take a Little Vacation Before Resuming Congress Duties

Governor-elect William Sulzer has gone away to get a little rest. Since election he has been busy with a mass of correspondence and the consideration of many of his appointments. Early in December he intends to go to Washington for the opening of Congress, where he will retain his seat until the Christmas recess.

He went South yesterday on the steamship Princess Anne, of the Old Dominion Line. From Norfolk he will go to the forest lake of Petersburg, Va., where he has been told wild turkeys are to be found in abundance.

Mr. Sulzer was exceedingly democratic on the pier and on shipboard. Everybody got the glad hand, the longshoremen in particular.

Just as he was about to walk the plank a young freight handler waving a cotton hook approached him and whispered, "Mr. Sulzer stopped until his ear was on a level with the man's lips. 'What is that?' he asked formally.

The man with the hook whispered again, the words 'few beers' being audible to those about.

"Why, certainly," said the Governor-elect, digging deep into his trousers pocket.

Up came a quarter, and it went to the man who spoke of "a few beers." The Governor-elect is a mighty hunter and declared before he sailed that if he did not bag turkeys enough for his own Thanksgiving dinner and those of many of his friends in Tammany Hall he would be much disappointed.

"I have not had a vacation for a long time," said the Governor-elect, "and a little one will do me no harm. I have a lot of work to finish up in Washington, and it will take several weeks to do it. I want to get to Albany soon after Christmas and get ready for my big work there."

## STATE BARS HOSPITAL IN CITY WATERSHED

Pollution of Croton Reservoir Feared by Health Commissioner Porter.

### BROOKS NEAR SITE MENACE

Protests Against Westchester's Tuberculosis Sanatorium at Yorktown Avail in Albany.

(By Telegraph to The Tribune.)  
Albany, Nov. 20.—Dr. Eugene H. Porter, State Health Commissioner, to-day denied the application of the Westchester County Board of Supervisors, to establish a hospital for the treatment of tuberculosis in the town of Yorktown, because of the danger of polluting the New York City water supply. The site for the proposed hospital is 4,300 feet from the Croton reservoir, and through the property flow two streams, running into the reservoir, one 850 feet from the proposed hospital site and the other 950 feet.

Dr. Porter, in his opinion, said that the most serious objection to the proposed site is the danger of pollution to the New York City water supply, which is drawn from the Croton reservoir, but he did not deem of much weight the contention that the proposed hospital would damage property values. Continuing, the Health Commissioner stated:

It is proposed to locate this hospital on a farm of 27 acres through which flow two brooks emptying in the Croton reservoir. According to the testimony of the engineer for the Department of Water Supply, Gas and Electricity of the City of New York, the water from the aqueduct now being constructed by the city from the Catskill region is treated in the Croton reservoir. When it is realized that the great population of New York City is dependent upon this supply for its water, the responsibility involved in passing upon this application appears to be of the utmost importance.

The evidence on the part of the petitioners, given by prominent engineers and experts, is to the effect that the sewage from this institution, if treated by means of a sewage disposal plant, or otherwise, so as to be innocuous and to prevent any danger of pollution to the water supply of the city.

The evidence of the experts for the city and the engineers in charge of the work of preventing the pollution of the present supply is to the effect that it is not possible to entirely prevent such pollution and safeguard the water supply, and that such a sewage disposal plant would not at all times be in operation, and that there would be danger of pollution of the water supply, and their testimony as to the experience of the city with other plants on the watershed would seem to confirm this view.

In view of the possibilities of danger, we must proceed with great caution, and in face of the serious protests of those charged with the protection of the water supply of the City of New York from contamination, I cannot accept the responsibility of granting my approval of this site.

Protests against the location of the hospital in Yorktown were made by the Merchants' Association of New York City, the Board of Water Supply of the city and various other organizations, while the site was favored by Homer Folks, secretary of the State Charities Aid Association, and Dr. Thomas S. Carrington, assistant secretary of the National Association for the Study and Prevention of Tuberculosis, and others.

Commissioner Porter approved an application of the Board of Supervisors of Saratoga County for permission to establish a tuberculosis hospital in the town of Providence. The application was opposed by the State Charities Aid Association on the ground that the proposed site was inaccessible.

### MECHANICS & METALS HOME

Bank Announces Itself as Purchaser of No. 50 Wall Street.

The Mechanics and Metals National Bank announced yesterday that it had purchased No. 50 Wall street and would occupy the entire building about May 1 next year. The fact was printed only a few weeks ago that this building had been sold in the latter part of 1911 by the New York Life Insurance and Trust Company to an undisclosed principal represented by Horace S. Ely & Co., but that title had not passed and that the purchaser had until the end of this year to take title.

J. P. Morgan & Co. some time ago purchased the building now occupied by the bank, at No. 23 Wall street, and as already announced will erect upon its site and that of their own adjoining property, the Drexel building, a handsome structure for their own use. The Mechanics and Metals National Bank, in its new home will have several banking institutions among its near neighbors on the same block, the Bank of New York, the oldest of the banks, being at No. 48 Wall street; the New York Life Insurance and Trust Company, at No. 52; the Central Trust Company, at No. 54; the International Banking Corporation, at No. 56, and the National City Bank across the street, at No. 55.

### FRANCE DECORATES HEPBURN.

The government of France has conferred upon A. Barton Hepburn the appointment of Officer of the Legion of Honor, in recognition of the part taken by the New York Chamber of Commerce in the reception to the French Champlain delegation which visited New York last May.

### AMUSEMENTS.

**BELASCO** West 44th St. Evenings at 8:20. Mat. Today and Sat. 2:20.

**"MISS STARR TRIUMPHS"** N.Y. CHIEF.

**FRANCES STARR** BELASCO

**REPUBLIC** West 44th St. Evenings at 8:15. Mat. Today and Sat. 2:15.

**GOVERNOR'S LADY** REPUBLIC

**GEO. CONAN'S** Mat. Wed. and Sat. 2:15.

**GEO. M. CONAN** "BROADWAY" JONES.

**ASTOR** Broadway, 45th St. Evenings at 8:15. Mat. Wed. and Sat. 2:15.

**A BIG HIT** Douglas FAIRBANKS in "HAWTHORNE OF THE U.S.A."

**ARLON HALL** 34 West 42d Street. TUES. EVE.

**WERWOLFRATH** ARLON HALL

**ARLON HALL** 34 West 42d Street. TUES. EVE.

**JOE WHITNEY'S** 29th St. Evenings at 8:20. Mat. Wed. and Sat. 2:15.

**A SCRAPE OF THE PEN** JOE WHITNEY'S

# Offering Extraordinary Winter Overcoats for Men

A gentleman has asked us why we had Special Sales in the midst of the Season.

It is a part of our advertising, we told him, and so long as our Sales are representative, in every respect, of our fair dealing in our regular daily business, we simply make a dignified money sacrifice for the sake of extra opportunity for publicity.

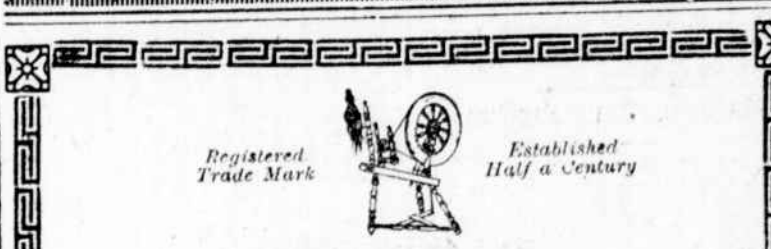
And that is the whole back of this present offering of straight Savings to you of \$4.00 on Winter Overcoats Marked Down this morning from \$18.50 and \$22.50 to \$14.50 and \$16.50.

Most of these coats are veritable beauties—attractive in too mild a word. In length they drop just below the knee. They're light in weight—but as warm as you would care to have them. Well lined, sleeves with Satin. Many with velvet collars.

There are tan Shetlands in a delicate blanket shade—a cream monotone. There are rich, fleecy coats—diagonal weaves of broad brown stripes alternating with white—trimmed with unique horn buttons. And similar weaves in deep browns and reds interspersed or the same coloring more lightly tinted. Grays, too, in worsteds,—bright, spirited cross-weaves, quieter basket weaves, and the ever-pleasing herringbones.

And this but a suggestion. To use an all-embracing really descriptive phrase—these coats are "there."

**Smith Gray & Co.**  
UNDER SAME CONTROL & OWNERSHIP SINCE 1845  
BROADWAY AT WARREN ST.—NEW YORK—5th AV. BET. 27th & 28th STS.  
FULTON ST. AT FLATBUSH AV.—BROOKLYN—BROADWAY AT BEDFORD AV.



## Christmas Handkerchiefs For Men

While the variety of Handkerchiefs which are appropriate for men is limited as to ornamentation, there is still a wide field for selection in style, size and quality. We quote for some popular lines:

Plain Hemstitched Handkerchiefs in all sizes with all widths of hem, the largest being a yard square, 25c, 50c, 75c, \$1.25 and up to \$8.00 each.

Hand Embroidered Initial Handkerchiefs with various styles of letters and mannish corner designs, 25c, 50c, 75c and \$1.25 each.

Colored Border Handkerchiefs, 25c, 50c and \$1.00 each, in very wide assortment.

### Men's Furnishings

This department carries a very choice collection of Men's Wear, suitable for holiday gifts, including—

Men's Gloves, Neckwear and Pajamas.  
French Terry, Blanket and Lounging Robes.  
Knitted Silk Reefers and Silk Half Hose.  
Silk Negligee Shirts, Underwear, etc.

**James McCutcheon & Co.,**  
Opposite Waldorf-Astoria  
5th Ave. & 34th St.

### AMUSEMENTS.

**HIPPODROME** 4th Ave., 43rd-44th. TWICE DAILY. EVE. AT 8.

**UNDER MANY FLAGS** HIPPODROME

**BEST SEATS AT MATINEES \$1.00** HIPPODROME

**WINTER GARDEN** 4th Ave., 43rd-44th. TWICE DAILY. EVE. AT 8.

**THE MERRY COUNTESS** WINTER GARDEN

**WEBER & FIELDS' New Music Hall** 44th St. West of Broadway. EVE. AT 8.

**ANNIE RUSSELL'S** Old English Comedy Co. 44th St. West of Broadway. EVE. AT 8.

**LYRIC** 43d St. West of Broadway. EVE. AT 8.

**FAVERSHAM'S JULIUS CAESAR** LYRIC

**WILLIAM COLLIER** 43d St. West of Broadway. EVE. AT 8.

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